

“or city council, or trustees,” and said officers so elected shall hold their office during the pleasure of said council or town trustees.

SEC. 2. This act, being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register, and Iowa State Leader, newspapers printed and published in Des Moines, Iowa. In force when.

Approved, February 28th, 1872.

I hereby certify that the foregoing act was published in the *Daily Iowa State Register*, February 29, and in the *Iowa State Leader*, March 1, 1872.

ED WRIGHT, *Secretary of State.*

CH. 26.]

CHAPTER VIII.

[S. F. 131.

REGULATING APPEALS TO THE SUPREME COURT.

AN ACT to Regulate Appeals to the Supreme Court of Iowa. MARCH 7.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That in cases wherein the appellant has perfected his appeal to the Supreme Court, and the clerk of the district or circuit court has unjustly refused to approve the appeal-bond offered, or makes the penalty therein too large, or the conditions thereof unjust, the appellant may move the Supreme Court, if in session, or in its vacation, on such written notice to the appellee as the Judge may prescribe, may move any Judge thereof, to determine the conditions, fix the penalty, and approve the appeal-bond. The motion, verified by the affidavit of the appellant or his attorney, shall contain a brief statement of the nature of the action in which the appeal was taken, of the judgment or order appealed from, of the steps taken by the appellant with reference to his appeal, and of his giving, or offering to give, an appeal-bond, of the action of the clerk of the court below with reference to such bond, and wherein he has acted wrongfully; and if the Supreme Court, or any Judge thereof, consider that the clerk has made unjust conditions in the bond, or the penalty thereof too high, or has wrongfully refused to approve the same, such Court or Judge shall issue an order prescribing the conditions of the appeal-bond, fixing the

When Sup. Court or Judge may fix condition, &c., of appeal-bonds.

Statement of appellant.

Action of court or judge.

penalty thereof, and either approve it or direct the Clerk of the Supreme Court so to do, which bond shall be filed with the officer last named. The Supreme Court, or Judge thereof, may order that all or any part of the papers and records in the cause appealed, or certified copies thereof, be produced on the hearing of such motion, and pending the disposition thereof may make an order staying the enforcement of the judgment or order appealed from, and on such terms as are just. The order, if made by a Judge, shall be in writing and signed by him, and upon the service thereof, or of a certified copy when made in Court, upon the clerk of the court below, all proceedings in the court appealed from shall be stayed, and all orders, processes, execution, or other papers issued therefrom, shall be recalled, and the appellant be placed in the same condition that he was in when the judgment or order appealed from was made or rendered.

Same may order production of papers, and may order stay.

Effect of order.

Stay.

SEC. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the State Register and Daily State Leader, newspapers published in Des Moines, Iowa, anything in the statutes of Iowa to the contrary notwithstanding.

In force when.

Approved, March 7th, 1872.

I hereby certify that the foregoing act was published in the *Daily Iowa State Register* and *Daily State Leader*, March 8, 1872.

ED WRIGHT, Secretary of State.

CH. 27.]

CHAPTER IX.

[H. F. 123.

COURT EXPENSES IN CASES OF CHANGE OF VENUE.

MARCH 7. AN ACT Providing the Manner in which the Fees of Jurymen and County Expenses shall be paid, in Cases of Changes of Venue.

In change of venue in civil cases, judge to certify number of days occupied in trial.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That in all civil cases, which are taken by change of venue for trial to any county other than that in which they are properly commenced, where the trial thereof takes place at a regular term, and occupies more than one calendar day, the judge trying said case shall certify the number of days so occupied, and the county in which the case tried was originally commenced shall be liable to the county where the same is tried for